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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,309	03/16/2000	Steven B. Wilson	202731	2263

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EXAMINER

CHEN, TE Y

ART UNIT PAPER NUMBER

2171

DATE MAILED: 04/23/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/527,309

Applicant(s)

WILSON, STEVEN B.

Examiner

Susan Y Chen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-27 and 29-32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This office action is responsive to application filed on 03/16/2000, in which claims 1-32 are presented examination. However, as a result of Examiner's request for Restriction, Applicant elected Group 3, claim 28 with traversal for continuing prosecution. IDS filed on 05/16/2000 have been noted.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-14, 27 and 30, drawn to computer to computer protocol implementing, classified in class 709, subclass 230.
- II. Claims 15-26, 29, 31 and 32, drawn to Network printing system communication, classified in class 358, subclass 1.15.
- III. Claim 28, drawn to object oriented database structure processing, classified in class 707, subclass 103Y.

Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.

In the instant case invention I (computer to computer protocol implementing) has separate utility such as implementing network protocols. Invention II (Network printing

system communication) has separate utility such as managing printing communications. Finally, invention III (object oriented database structure processing) has separate utility such as applying object oriented technique on database structure.

Because these inventions are distinct and search Groups I, II and III are not required to be simultaneous, restriction for examination purposes as indicated is proper.

During a telephone conversation with Applicant's attorney Mr. John B. Conklin on April 15, 2004 a provisional election was made with traversal to prosecute the invention of Group III, claim 28. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-27 and 29-32 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Specification

The **Abstract** of the disclosure is objected to because the elected Group III, claim 28 by the Applicant changes the scope of the invention thus abstract should be modified. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 28 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,692,129 issued to Sonderegger et al. (hereinafter referred as Sonderegger).

As to claim 28, Sonderegger discloses a system for managing a directory of published objects and removing nonfunctional objects via directory service maintained on a computer network as claimed by applicant [e.g., Abstract, col. 2, Brief Summary of the Invention section; Fig(s). 1-11 and associated texts], wherein, the system comprising:

a) a pruning module [e.g., the snap-in module, col. 2, lines 61-67] including a module for testing if a specified object, from the directory of published objects, is accessible [e.g., the database object access control interface tool, col. 3, lines 19-23], a module for determining if the specified objects is delete able [e.g., the updating or final cleaning module of the application launcher, col. 3, lines 24-42] and a module for testing if software hosting the specified object is capable of republishing the specified object [e.g., the database object replication interface tool, col. 3, lines 21-23];

b) a domain controller hosting the pruning module and the directory of published objects [e.g. the Application Launcher (50, Fig. 2); col. 3, lines 24-42; Fig(s). 9-10 and associated texts];

c) a thread for executing the pruning module [e, g., col. 19, lines 44-51].

Conclusion

To expedite the process of re-examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Thorne et al. (U.S. Patent No. 6,047,289) disclosed a data processing computer system having management service to manipulate master/slave object based on database schema; Craig et al. (U.S. Patent No. 6,598,037) disclosed a system comprising data table object interface for data store.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is (703) 308-1155. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (703) 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2171

April 16, 2004



UYEN LE
PRIMARY EXAMINER